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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LANE KELLY WHITTENBERG,

Defendant.

Case No: 1:20-CR-00207-NONE-SKO

**STIPULATION BETWEEN THE UNITED
STATES AND DEFENDANT REGARDING
PRODUCTION OF PROTECTED
INFORMATION; PROTECTIVE ORDER RE:
SAME**

WHEREAS, This Court may enter protective orders pursuant to Fed. R. Crim. P. 16(d), 18 U.S.C. § 3771(a), and its general supervisory authority.

WHEREAS, the discovery in this case contains private personal information regarding third parties, including but not limited to their names, physical descriptions, telephone numbers, place of employment, and/or residential addresses (“Protected Information”); and

WHEREAS, the parties desire to avoid the unauthorized disclosure or dissemination of this information to anyone not a party to the court proceedings in this matter;

The parties agree that entry of a stipulated protective order is therefore appropriate.

1 THEREFORE, defendant LANE KELLY WHITTENBERG, by and through his counsel of
2 record, Assistant Federal Defender Christina M. Corcoran (“Defense Counsel”), and the United States of
3 America, by and through Assistant United States Attorney Antonio J. Pataca, hereby agree and stipulate
4 as follows:

5 1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of
6 Criminal Procedure, and its general supervisory authority.

7 2. This Order pertains to all discovery provided to or made available to Defense Counsel as
8 part of discovery in this case (hereafter, collectively known as “the discovery”).

9 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any
10 documents, videos, audio files or other information that contain Protected Information with anyone other
11 than Defense Counsel’s attorneys, designated defense investigators, designated defense experts, and
12 support staff. Defense Counsel may permit the defendant to view unredacted documents, videos, audio
13 files or other information in the presence of his attorneys, defense investigators, and/or support staff. The
14 parties agree that Defense Counsel, defense investigators, and support staff shall not allow the defendant
15 to copy Protected Information contained in the discovery. The parties agree that Defense Counsel, defense
16 investigators, and support staff may provide the defendant with copies of documents or other information,
17 if any, from which Protected Information has first been redacted.

18 4. The discovery and information therein may be used only in connection with the litigation
19 of this case and for no other purpose. The discovery is now and will forever remain the property of the
20 United States of America (“Government”). Defense Counsel will return the discovery to the Government
21 or alternatively keep it archived within its sole possession at the conclusion of the case.

22 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
23 ensure that it is not disclosed to third persons in violation of this agreement.

24 6. Defense Counsel shall be responsible for advising the Defendant, employees, and other
25 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

26 7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to
27 return the discovery to the government, or, at the request of government counsel, to forward it to new
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1 counsel after new counsel has confirmed to government counsel in writing his or her agreement to the
2 terms of this Order.

3 8. Nothing in this Order shall preclude a party from seeking a more restrictive protective order
4 or other court order with regard to particular discovery items.

5
6 IT IS SO STIPULATED.

7 Dated: December 21, 2020

8 By: /s/ Christina M. Corcoran
9 CHRSTINA M. CORCORAN
10 Attorney for Defendant
11 Lane Kelly Whittenberg

12 Dated: December 21, 2020

13 McGREGOR W. SCOTT
14 United States Attorney

15 IT IS SO ORDERED.

16 Dated: December 21, 2020

17 /s/ Barbara A. McAuliffe
18 UNITED STATES MAGISTRATE JUDGE